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PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			MILORD, MARCEAU	
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			2682	

DATE MAILED: 01/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/033,591

Applicant(s)

W.YAU ET AL

Examiner

Marceau Milord

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 42-45 is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1- 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirai et al (US Patent No 6339699 B1) in view of Muramatsu et al (US Patent No 6477391 B1) and Ortscheid et al (US Patent No 6647248 B1).

Regarding claim 1, Hirai et al discloses an electronic device holder (fig. 1 and figs. 12 A-12 B), comprising: a base (53 of fig 1 and figs. 12 A-B) having an insert aperture (col. 4, line 52- col. 5, line 14); and a one-piece flexible member joined to the base for supporting an electronic device disposed in the insert (figs. 3-7; figs. 12-13; col. 1, line 62- col. 2, line 22; col. 5, lines 15-58; col. 6, line 24- col. 7, line 27; col. 7, lines 45-65).

However, Hirai et al does not specifically disclose a base containing a removable insert positioned in the insert aperture, wherein the one-piece flexible member engages the electronic device and supports the electronic device separate from the insert.

On the other hand, Muramatsu et al, from the same field of endeavor, discloses a mobile telephone holding device is provided for establishing a stable communication between a portable telephone and outside on-board instruments without adjusting the positions of respective infrared optical communication interfaces precisely. The holding device includes a light guide disposed between a plane containing one surface of the portable telephone equipped with an infrared optical communication interface 13 and one end face opposing a housing equipped with an IrDA element (col. 2, lines 36-58). Furthermore, the telephone holder is equipped with a light guide, a pair of stays, the housing and the telephone-detecting part. The light guide is fixed on an inner side of the recessed telephone holder so that the box-shaped portable telephone is juxtaposed with the lateral side of the light guide. The stays are fixed on the inner side faces of the recessed telephone holder. Thus, when the portable telephone is inserted into the telephone holder from the upside to the downside in the figure, the stay comes into touch with the side faces of the portable telephone, so that the attachment of the portable telephone can be detected by the telephone-detecting part in contact with a free end of one stay (col. 4, line 24- col. 5, line 40; col. 9, lines 11-57).

Ortscheid et al also discloses a cradle that secures a removable device, a body, two side surfaces and two face surface are provided on one face surface, and a movable hook is provided on the other face surface. Furthermore, the lower end of the mobile telephone is held in the space between the tabs and the cover or the body. The upper end of the mobile telephone is shown at distance from the cover (fig. 2). In addition, the upper end of the mobile telephone is moved in direction of the arrow towards the cover, then the movable hook slides out of the way in direction of the arrow due to the contact with the upper end of the mobile telephone ((col. 2, lines

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1-32; col. 3, lines 1-47). The mobile telephone is then completely removed in that when the spring-loaded cap has pushed the upper end away from the cover, the telephone can be pulled up and out of the cradle (col. 3, lines 51-65; col. 4, lines 24-40). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Ortscheid to the modified system of Muramatsu and Hirai in order to provide a cradle that allows a simple and secure method of removing a device secured in the cradle based on the natural grasping motion of a human hand.

Regarding claim 2, Hirai et al as modified discloses an electronic device holder (fig. 1), wherein the base is made of at least one of a metal or a plastic (col. 7, lines 45-65).

Regarding claim 3, Hirai et al as modified discloses an electronic device holder (fig. 1), wherein the base has at least one opening for insertion of the one-piece flexible member and the base having external shoulders that support the one-piece flexible member in a raised position (col. 7, line 23- col. 8, line 49).

Regarding claim 4, Hirai et al as modified discloses an electronic device holder (fig. 1), wherein the one piece flexible member is made of at least one of a plastic material or a tubing (col. 7, lines 45-65).

Regarding claim 5, Hirai et al as modified discloses an electronic device holder (fig. 1), wherein the base has a lower base portion and an upper base portion (col. 7, lines 45-65).

Regarding claim 6, Hirai et al as modified discloses an electronic device holder (fig. 1), wherein the lower base portion has a seating surface, a base lower portion opening, and a lower base portion receptacle for mating connector elements to a power source (col. 7, line 23- col. 8, line 49).

Regarding claim 7, Hirai et al as modified discloses an electronic device holder (fig. 1), wherein the insert aperture is disposed in the upper base portion and has an insert aperture inner portion, an outer portion, a lip, and a bottom portion (col. 8, line 38- col. 9, line 48).

Regarding claim 8, Hirai et al as modified discloses an electronic device holder (fig. 1), wherein the insert aperture inner portion has sloped inner walls (col. 10, lines 30-67).

Regarding claim 9, Hirai et al as modified discloses an electronic device holder (fig. 1), wherein the insert has a male electrical connector extending through the insert aperture inner portion into a female electrical connector in the lower base portion which is connected to an electrically conductive wire disposed through the base lower portion opening, with the electrically conductive wire in turn connected to the lower base portion receptacle (col. 5, line 21- col. 6, line 50; col. 7, line 17- col. 8, line 65).

Regarding claim 10, Hirai et al as modified discloses an electronic device holder (fig. 1), wherein the power source energizes the electrically conductive wire, the electrically conductive wire energizes the female electrical connector and the female electrical connector energizes the male electrical connector and the male electrical connector energizes the electronic device placed in the insert (col. 5, line 21- col. 6, line 50; col. 7, line 17- col. 8, line 65).

Regarding claim 11, Hirai et al as modified discloses an electronic device holder (fig. 1), wherein the male electrical connector is a pin and the female electrical connector is a socket (col. 8, line 57- col. 9, line 39; col. 12, lines 24-54).

Regarding claim 12, Hirai et al as modified discloses an electronic device holder (fig. 1), wherein the insert is removably positioned in the insert aperture (col. 11, line 42- col. 12, line 26).

Regarding claim 13, Hirai et al as modified discloses an electronic device holder (fig. 1), wherein the one piece flexible member is pivotably mounted in the base to pivot relative to the base between a lowered position and a raised position (col. 12, line 40- col. 13, line 15; col. 5, line 6-32).

Regarding claim 14, Hirai et al as modified discloses an electronic device holder (fig. 1), wherein the holder is portable (col. 4, line 52- col. 5, line 32).

Regarding claim 15, Hirai et al discloses an electronic power- station (fig. 1 and figs. 12 A-12 B; figs. 13-14), comprising: a base (53 of fig 1 and figs. 12 A-B); and an interchangeable insert removably disposed in the insert aperture for holding an electronic device (col. 4, line 52- col. 5, line 14), wherein the flexible arm cushions the electronic device, wherein the interchangeable insert is selected from a number of different interchangeable inserts which can be interchanged in the insert aperture to accommodate different electronic devices (figs. 3-7; figs. 12-13; col. 1, line 62- col. 2, line 22; col. 5, lines 15-58; col. 6, line 24- col. 7, line 27; col. 7, lines 45-65; col. 15, line 32- col. 16, line 28).

However, Hirai et al does not specifically disclose a flexible arm having spindles attached to the base.

On the other hand, Muramatsu et al, from the same field of endeavor, discloses a mobile telephone holding device is provided for establishing a stable communication between a portable telephone and outside on-board instruments without adjusting the positions of respective infrared optical communication interfaces precisely. The holding device includes a light guide disposed between a plane containing one surface of the portable telephone equipped with an infrared optical communication interface 13 and one end face opposing a housing equipped with an IrDA

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element (col. 2, lines 36-58). Furthermore, the telephone holder is equipped with a light guide, a pair of stays, the housing and the telephone-detecting part. The light guide is fixed on an inner side of the recessed telephone holder so that the box-shaped portable telephone is juxtaposed with the lateral side of the light guide. The stays are fixed on the inner side faces of the recessed telephone holder. Thus, when the portable telephone is inserted into the telephone holder from the upside to the downside in the figure, the stay comes into touch with the side faces of the portable telephone, so that the attachment of the portable telephone can be detected by the telephone-detecting part in contact with a free end of one stay (col. 4, line 24- col. 5, line 40; col. 9, lines 11-57).

Ortscheid et al also discloses a cradle that secures a removable device, a body, two side surfaces and two face surface are provided on one face surface, and a movable hook is provided on the other face surface. Furthermore, the lower end of the mobile telephone is held in the space between the tabs and the cover or the body. The upper end of the mobile telephone is shown at distance from the cover (fig. 2). In addition, the upper end of the mobile telephone is moved in direction of the arrow towards the cover, then the movable hook slides out of the way in direction of the arrow due to the contact with the upper end of the mobile telephone ((col. 2, lines 1-32; col. 3, lines 1-47). The mobile telephone is then completely removed in that when the spring-loaded cap has pushed the upper end away from the cover, the telephone can be pulled up and out of the cradle (col. 3, lines 51-65; col. 4, lines 24-40). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Ortscheid to the modified system of Muramatsu and Hirai in order to provide a

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cradle that allows a simple and secure method of removing a device secured in the cradle based on the natural grasping motion of a human hand.

Regarding claim 16, Hirai et al as modified discloses an electronic power- station (fig. 1 and figs. 12 A-12 B; figs. 13-14), wherein the flexible arm is a one-piece member, shaped in a form of an outer perimeter of the base (col. 6, lines 31- 64;col. 7, lines 45-65).

Regarding claim 17, Hirai et al as modified discloses an electronic power- station (fig. 1 and figs. 12 A-12 B; figs. 13-14), wherein the flexible arm flexes in a down position (col. 6, lines 31- 64;col. 7, lines 45-65).

Regarding claim 18, Hirai et al as modified discloses an electronic power- station (fig. 1 and figs. 12 A-12 B; figs. 13-14), wherein the flexible arm is biased in a down position against a rear edge of the base (col. 12, line 40- col. 13, line 15; col. 5, line 6-32).

Regarding claim 19, Hirai et al as modified discloses an electronic power- station (fig. 1 and figs. 12 A-12 B; figs. 13-14), wherein the flexible arm has a padded section of elastomeric material (col. 7, lines 45-65).

Regarding claim 20, Hirai et al as modified discloses an electronic power- station (fig. 1 and figs. 12 A-12 B; figs. 13-14), wherein the padded section of the flexible arm has a seam (col. 6, lines 31- 64;col. 7, lines 45-65).

Regarding claim 21, Hirai et al as modified discloses an electronic power- station (fig. 1 and figs. 12 A-12 B; figs. 13-14), wherein the padded section of the flexible arm is seamless (col. 6, lines 31- 64;col. 7, lines 45-65).

Regarding claim 22, Hirai et al as modified discloses an electronic power- station (fig. 1 and figs. 12 A-12 B; figs. 13-14), wherein the interchangeable insert comprises an insert central

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portion, an insert bottom portion, and at least one sloped wall, all within a plastic insulating frame that defines the insert aperture (col. 7, lines 45-65; col. 15, line 32- col. 16, line 28).

Regarding claim 23, Hirai et al as modified discloses an electronic power- station (fig. 1 and figs. 12 A-12 B; figs. 13-14), wherein the insert bottom portion is press fitted with at least one metal contact for connection to a female connector in the insert aperture connected to an electrically conductive wire in the base in turn connected to a base electrical receptacle for connection to a power source (col. 7, line 23- col. 8, line 49).

Regarding claim 24, Hirai et al as modified discloses an electronic power- station (fig. 1 and figs. 12 A-12 B; figs. 13-14), wherein the at least one metal contact of the insert bottom portion comprises a flexible spring having a tab portion (col. 7, lines 45-65).

Regarding claim 25, Hirai et al as modified discloses an electronic power- station (fig. 1 and figs. 12 A-12 B; figs. 13-14), wherein the at least one metal contact of the insert bottom portion is made of at least one of a copper metal or an aluminum alloy metal (col. 7, lines 45-65).

Regarding claim 26, Hirai et al as modified discloses an electronic power- station (fig. 1 and figs. 12 A-12 B; figs. 13-14), wherein the insert bottom portion further comprises a terminal portion, the terminal portion projects from a lower side of the insert bottom portion, the insert bottom portion contains an electrical receptacle that connects to the at least one metal contact, wherein the at least one metal contact is at least one spring contact (col. 7, line 5- col. 8, line 65).

Regarding claim 27, Hirai et al as modified discloses an electronic power- station (fig. 1 and figs. 12 A-12 B; figs. 13-14), wherein the at least one sloped wall of the insert is comprised of a plurality outer walls sloped to conform to a slope of a plurality of inner walls of the insert aperture (col. 8, line 38- col. 9, line 48).

Regarding claim 28, Hirai et al as modified discloses an electronic power- station (fig. 1 and figs. 12 A-12 B; figs. 13-14), wherein the insert central portion includes an insert lip surrounding the insert central portion having a conformed fit to a rim of the insert aperture (col. 8, line 38- col. 9, line 48).

Regarding claim 29, Hirai et al as modified discloses an electronic power- station (fig. 1 and figs. 12 A-12 B; figs. 13-14), wherein the insert central portion has a lower surface seatable against a bottom of the insert aperture (col. 8, line 38- col. 9, line 48).

Regarding claim 30, Hirai et al as modified discloses an electronic power- station (fig. 1 and figs. 12 A-12 B; figs. 13-14), wherein the interchangeable insert has an insert multi-contact male pin connector that forms an electrical connection with a base electrical receptacle upon insertion of the interchangeable insert into the insert aperture, wherein the base electrical receptacle attaches to an electrically conductive wire connected to the base electrical receptacle for connection to a power source to form a complete circuit (col. 7, lines 45-65; col. 15, line 32- col. 16, line 28).

Regarding claim 31, Hirai et al as modified discloses an electronic power- station (fig. 1 and figs. 12 A-12 B; figs. 13-14), wherein the power source energizes the base electrical receptacle, the base electrical receptacle energizes the electrically conductive wire, the electrically conductive wire energizes the base electrical receptacle, the base electrical receptacle energizes the insert multi-contact male pin connector, the insert multi-contact male pin connector energizes a mobile electronic device placed in the interchangeable insert (col. 5, line 21- col. 6, line 50; col. 7, line 17- col. 8, line 65).

Regarding claim 32, Hirai et al as modified discloses an electronic power- station (fig. 1 and figs. 12 A-12 B; figs. 13-14), wherein the insert multi-contact male pin connector comprises a uniform serial bus connector (col. 8, line 57- col. 9, line 39; col. 12, lines 24-54).

Regarding claim 33, Hirai et al as modified discloses an electronic power- station (fig. 1 and figs. 12 A-12 B; figs. 13-14), wherein the insert multi-contact male pin connector has a housing (col. 8, line 57- col. 9, line 39; col. 12, lines 24-54).

Regarding claim 34, Hirai et al as modified discloses an electronic power- station (fig. 1 and figs. 12 A-12 B; figs. 13-14), wherein the housing is made of at least one of an insulating plastic or a metal (col. 7, lines 45-65).

Regarding claim 35, Hirai et al as modified discloses an electronic power- station (fig. 1 and figs. 12 A-12 B; figs. 13-14), wherein the interchangeable insert comprises a generally rectangular shaped handset receiving receptacle containing at least one spring contact extending through the terminal portion for connection to the base electrical receptacle, upon handset: insertion into insert aperture, wherein insertion of a handset completes a circuit to a power source connected to the base (col. 7, lines 45-65; col. 15, line 32- col. 16, line 28).

Regarding claim 36, Hirai et al as modified discloses an electronic power- station (fig. 1 and figs. 12 A-12 B; figs. 13-14), wherein the insert has a generally elliptically shaped handset-receiving receptacle (col. 1, line 62- col. 2, line 22; col. 5, lines 15-58).

Regarding claims 37-39, Hirai et al discloses a freestanding handset holder (fig. 1 and figs. 12 A-12 B), comprising: an electrically conductive insert contained in an electrically wired casing for holding a handset (col. 4, line 52- col. 5, line 14; figs. 3-7; figs. 12-13; col. 1, line 62- col. 2, line 22; col. 5, lines 15-58; col. 6, line 24- col. 7, line 27; col. 7, lines 45-65).

However, Hirai et al does not specifically disclose a U-shaped frame attached to the electrically wired casing in a raised position, wherein the U-shaped frame cushions the handset held in the insert.

On the other hand, Muramatsu et al, from the same field of endeavor, discloses a mobile telephone holding device is provided for establishing a stable communication between a portable telephone and outside on-board instruments without adjusting the positions of respective infrared optical communication interfaces precisely. The holding device includes a light guide disposed between a plane containing one surface of the portable telephone equipped with an infrared optical communication interface 13 and one end face opposing a housing equipped with an IrDA element (col. 2, lines 36-58). Furthermore, the telephone holder is equipped with a light guide, a pair of stays, the housing and the telephone-detecting part. The light guide is fixed on an inner side of the recessed telephone holder so that the box-shaped portable telephone is juxtaposed with the lateral side of the light guide. The stays are fixed on the inner side faces of the recessed telephone holder. Thus, when the portable telephone is inserted into the telephone holder from the upside to the downside in the figure, the stay comes into touch with the side faces of the portable telephone, so that the attachment of the portable telephone can be detected by the telephone-detecting part in contact with a free end of one stay (col. 4, line 24- col. 5, line 40; col. 9, lines 11-57).

Ortscheid et al also discloses a cradle that secures a removable device, a body, two side surfaces and two face surface are provided on one face surface, and a movable hook is provided on the other face surface. Furthermore, the lower end of the mobile telephone is held in the space between the tabs and the cover or the body. The upper end of the mobile telephone is shown at

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distance from the cover (fig. 2). In addition, the upper end of the mobile telephone is moved in direction of the arrow towards the cover, then the movable hook slides out of the way in direction of the arrow due to the contact with the upper end of the mobile telephone ((col. 2, lines 1-32; col. 3, lines 1-47). The mobile telephone is then completely removed in that when the spring-loaded cap has pushed the upper end away from the cover, the telephone can be pulled up and out of the cradle (col. 3, lines 51-65; col. 4, lines 24-40). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Ortscheid to the modified system of Muramatsu and Hirai in order to provide a cradle that allows a simple and secure method of removing a device secured in the cradle based on the natural grasping motion of a human hand.

Regarding claim 40, Hirai et al as modified discloses a freestanding handset holder (fig. 1 and figs. 12 A-12 B), wherein the casing lower section defines shoulders formed on at least one side of the casing from a wider midsection to a narrower front (col. 4, line 52- col. 5, line 32).

Regarding claim 41, Hirai et al as modified discloses a freestanding handset holder (fig. 1 and figs. 12 A-12 B), wherein the electrically wired casing is energized by a power source; the power source energizes the electrically conductive insert that energizes the handset (col. 7, line 23- col. 8, line 49).

Allowable Subject Matter

3. Claims 42-45 are allowed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marceau Milord whose telephone number is 571-272-7853. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, To H. Doris can be reached on 571-272-7629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MARCEAU MILORD

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1-21-06